

FILED

OCT 17 2019

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

VS.

EMILY STEPHAN,

Defendant.

No.

4:19CR883 SNLJ/PLC

MOTION FOR PRE-TRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Paul J. D'Agrosa, Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the Government states as follows:

1. Defendant is charged with an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act, specifically Possession with Intent to Distribute in Excess of 50 grams of a mixture or substance containing methamphetamine.
2. Accordingly, a rebuttable presumption arises pursuant to Title 18, United States Code, Section 3142(e)(3) that there are no conditions or combination of conditions which will reasonably assure the appearance of the defendant as required, and the safety of any other person and the community.

3. The defendant is a threat to the community. She has multiple, recent arrests for resisting arrest, fleeing police and assaulting a law enforcement officer. She has multiple felony arrests and pending felony charges in state court. The arrests/charges include: June 15, 2018 - possession of approximately 3.4 grams of methamphetamine, a digital scale and over \$4,000 of U.S. currency (1911-CR00450-01); July 1, 2018 - possession of 333 grams of marijuana, nine capsules of heroin, and a baggie of methamphetamine (1811-CR04503-01); December 11, 2018 - possession of 1.8 grams of methamphetamine, 35.8 grams of marijuana and \$2,240 in U.S. currency; March 8, 2019 - instant offense (over 90 grams of methamphetamine); March 14 and 15, 2019 - resisting arrest and possession of 57 grams of methamphetamine (19SL-CR05702); April 10, 2019 - possession of felony amount of marijuana (1911-CR03568); May 28, 2019 - over 50 grams of marijuana; September 11, 2019 - Methamphetamine and a digital scale; and September 29, 2019 - approximately 42 grams of methamphetamine and a digital scale.

4. The defendant is a flight risk. In at least two of the above incidents, Defendant was involved in a high-speed chase with police. In the instant offense, Defendant resisted a search of her person and assaulted a police officer, after she was arrested and detained. In October, 2018, Defendant obstructed police by assisting a known fugitive to hide in a hotel room. The fugitive attempted to escape out of the window, while Defendant lied to police that he was in the room. On October 9, 2019 Defendant was involved in a high-speed chase with police. She was driving a stolen vehicle which she ultimately crashed during the pursuit. She then fled on foot and was eventually arrested, with the assistance of a K-9. Police found a gun in the car.

WHEREFORE, the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

JEFFREY B. JENSEN
UNITED STATES ATTORNEY

/s/Paul J. D'Agrosa

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